Copies under curbstone, FOIA/226

Dear Jim, 2/6/78

For spectro/NAA appeal or remand. Source FBIHQ 105-82555-4584, the report of Robert P. Gemberling dated 8/5/64 covering the investigative period 6/10-7/31/64.

Having tried to pretend that there was no "missed " shot when President Kennedy was assassinated - and failed to get the Warren Commission to go along with that particular misrepresentation - the FBI then succeeded in hiding its certain knowledge that proof relating to the missed shot and its cause were forever lost.

Of the possible explanations of what happened to the curbstone on which there was a ballistics impact the more likely is that the hole (also called a nick and a scar at the time of the assassination) was simply patched.

The other alternative is that the section of curbstone was replaced. This is unlikely. It also would have attracted too much attention.

There is no FBI explanation of the shooting in any of its reports or reconstructions that mentions the missed shot or of the wounding of James T. Tague. All these formal statement by the FBI are identical.

Most shocking is the version in its supposedly definitive five-volume report ordered by LBJ before he appointed the Warren Commission. The beginning of those five volumes is a text of 88 numbered pages. (Some have letters added.) It has less than five dozen words on the crime itself.

The first chapter is of but two and a half pages. It is titled "1. THE ASSASSINATION." It has two subheadings, one conclusory and the other irrelevant: "A. Assassin in Building" and "B. Patrolman Tippit Killed."(As related to the assassination connecting the Tippit killing also is conclusory.)

"Assassin in Building"is of but two short paragrpahs. The second does not relate to facts of the crime. It is an unfaithful account of what unnamed and unidentified witnesses are represented as having seen.

All there is in five fancy bound volumes on the crime itself is:

"As the motorcade was travelling through downtown Dallas on Elm Street about 50 yards west of the intersection with Houston (Exhibit 1) three shots rang out. Two bullets struck President Kennedy, and one wounded Governor Connally." (The rest of the paragraph is not on the crime: "The President, who slumped forward in the car, was rushed to Parkland Memorial Hospital, where he was pronounced dead at 1:p.m.")

Before going into the proof of my earlier work I found in the records Oswald ordered the FBI to give me I want to put this together in simpler language.

The FBI states that in all three shots were fired. Of these thre shots two struck the President and a third one struck Governor Connally.

There really is no quibble about the language because if it did not mean this the FBI would be making no other mention at all of the third short. Besides, it does not say

"one of these (two)bullets also hit Governor Connelly."

On the remote chances some extreme partisan might pretend it meant what it did not say I used other of these records in Post Mortem. They FBI even calculated where the motorcade was when each of the three shots hit. There are a number of such statements. I've used them but they remain unknown because nobody else has.

(The Secret Service tried to pull the same one only its calculations different from those of the FBI by a few feet. Remember the executive session transcript on this that I used in I think WW IV - Rankin said lets split the difference.)

Gemberling's report goes into the curbstone in the synpsis:"Additional investigation conducted concerning mark on curb on south side of Main Street near triple underpass..." Of this is states unequivocally what I have said:"No evidence of mark or nick is now visible." Leaving no doubt at all is the next sentence: "Photographs taken of location where mark once appeared." (I have marked this on the copy I've made for you and am sending with this. The original is unmarked.)

With attention this is a blockbuster.

Table of contents shows that pp. 27-39 are on this investigation. The last words of the entry are "and Struck JIM TAGUE."

Jim's name is mentioned one time, as the appropriate page of the index shows. (186) He is on 27. The entire page is a subhead, word-for-word the language of the table of contents. There is no other mention of Tague.

Although the FBI avoided the two Dallas photographers, Underwoodand Dillard, for almost nine months, both state there was a visible mark. Their FD302s, not their words but those of FBI agents seeking to play it down, are included.

Agents Barrett and Lee state there was a mark. They were able to locate the point where it "had been." And they go on to say it is not there now, or when they did this July 1964 investigation. (But they do conjecture that rains and cleaning the streets could have worn off the concrete!)

Where they talk about Dillard having two pictures they may not be lying but they are wrong. I have these two. I think we used them in deposing the retired agents and that they are in the record.

There was a third, the best. Of it Dillard told me that "the federales did not return it." Maybe this was Shaneyfelt, maybe someone before he was sent down. This is the one I used in Post Mortem.

Now there is a better explanation than the FBI's conjecture about what happened to the spectro plate on the curbstone testing. They conjectured that the lab merely threw it away to save space. Not the other plates, only this one. To save less than an eighth of an inch?

I remind you they claim the spectro detected only two of the dozen elements of a bullet with an inch of specimen to select from when microscopic quantities are adequate for the test. We still do not know of those two if they are even compatible with the results on the bullet/metal testing.

Another provocative mystery remains: what happened to the movie film Jim Tague took in 5/64, to show his folks when he went to visit them?

Tague still does not know how the Commission knew he had taken any pictures.

But he does know that those movies showed no mark on the curbstone remaining as of 5/64.

This means that someone destroyed the absolute proof of conspiracy prior to the time he took the pictures in May 1964.

It is difficult to avoid the suspicion that Jim was being watched. Otherwise how would the FBI and the Commission, with both avoiding him, have known that he had taken the pictures.

Jim is uncertain of the date his pictures were stolen. When he learned it, which was after we filed the spectro/FOIA suit against the FBI, he at first attributed it to some kinds.

What forced interest in Tague is the passing comment of Tom Dillard to then U.S. Attorney in Dallas Barefoot Sanders. Dillard had taken these pictures mentioned in the Gemberling report. He was also reading accounts of the solution to the crime that made no mention of this missed shot. So he spoke of it to Sanders when they met at a social function. Sanders office, I believe Martha Joe Stroud, then wrote to Rankin. This again represented Texas knowledge Washington could no longer ignore. Thus the order to the FBI to investigate the curbstone, about early July 1964.

I believe that with this Gemberling report we have enough to go to court and demand a full investigation, with scientific testing of the visible spot to determine if the concrete mix is different. I believe that chemical analysis would have the capability of establishing it. It may be that a concrete expert alone could from the pronounced difference in color and texture. With so small a chip to obliterate it was not possible to use a normal concrete mix. There could be no coarse aggregate because one piece of it would be larger than the hole that was to be hidden. Perhaps a parging mix was used, maybe even mortar or plastering sand mixe rather than concrete mixe, which is much coarser.

I'vehad many calls and interruptions. I hope this is clear. If not let me know.

Best,